

4 August 2022

Re: Case Number 22-10964 (MG) Southern District of New York

Dear Honorable Judge Martin Glenn,

As a Celsius account holder with an initial principal balance of approximately \$125,000 (of which I have withdrawn/transferred out \$0 since my initial transfer into Celsius), a substantial portion of my life's savings, I would like to take a minute to share my thoughts on the Celsius bankruptcy situation, along with some asks I have as the court continues to peel back the onion. I appreciate your consideration of my feedback and requests.

It had taken me many years to be convinced enough to move a sizeable portion of my family's savings from mutual funds into crypto. I purchased cryptocurrencies because I was made aware of Celsius Network, where I would have the opportunity to bank my cryptocurrencies somewhere that I could earn weekly interest, credited to my account in-kind, while holding for the long term. After tracking the broad landscape of the crypto world, the institutional investment in it, the tens of billions of dollars Celsius had under management, and the so-called transparency about safety and reserves communicated at every step of the way in Alex Maskinsky's AMA's and in Celsius' correspondence, I finally did it and I was excited to have pulled the trigger.

It was November 29, 2021 when I first started buying BTC, ETH, LINK, MATIC, and SNX and transferring it all into my Celsius account. I quickly got to a point where my family and I were satisfied by the amount of money we had parked in Celsius, and our plan was to let it ride for the next 5-10 years. We thought our investment was protected, but little did we know this was a Ponzi scheme all along – an investment fraud that pays new investors with funds collected from new investors. I believe Celsius qualifies, because as the markets crashed and people stopped putting money in, and rather started to panic and take their money out, the company went defunct. However, this still baffles me, because my ~\$125,000 of investment that I thought Celsius was a safe haven for, became locked out. One would think if a BTC was worth 50K, and it went to 25K, you could technically access your BTC at the 25K if you needed to. This is not the case, and is heart breaking.

Fast forward to today. Celsius has filed for restructuring under Chapter 11. I'm now told that I am an "investor" in the company, Celsius itself, and that my cryptocurrency ownership was relinquished to Celsius when I transferred it there. I had no idea, and I bet the lion share of Celsius users were also mis-led. To make matters worse, I can't even access my account via online or via the app, and Celsius is telling me that they can't find the email associated with my account, even though I have emails from Celsius dating back to when I opened my account on June 2, 2021 – including crypto transfers, rewards notifications, etc. This is frustrating, because now I am part of Celsius' bankruptcy proceedings, apparently as an "unsolicited creditor", Celsius can't even locate my account, and I can't even login to see it's value and how many tokens I have under each crypto currency.

**My asks are:**

1. That I am located, and recognized as a Celsius account holder (under email address mandyabbeylexi@gmail.com), with an initial investment of well over \$125,000 (probably worth a little

less than half as of today due to market fluctuation) – all of which is being held (locked out) by Celsius. As previously stated, Celsius is somehow currently unable to locate my account and I am unable to login to view any of my investments within Celsius.

2. That Celsius crypto assets, at any point in the Celsius bankruptcy proceedings, are not sold/converted to U.S. Dollars, and are provided back to Celsius account holders “in-kind” once a settlement is swiftly reached, so that people like myself and my family can remain invested in our crypto assets for the long haul, as this was our intention.
3. That Celsius account holders are not treated as “investors in Celsius itself” or but rather as “account holders” who were parking their cryptocurrencies in the Celsius bank. This is what we were led to believe, and frankly, I cannot understand how it came crashing down so quickly after so much new investment and the market price volatility that is inherent in the cryptocurrency space.
4. That all Executive compensation is immediately ceased, the current Executive Team is replaced with a competent leadership group, and that current leadership is eventually held financially and criminally liable for their gross mismanagement or user account funds that were entrusted to them to manage and keep safe.

I would also like to suggest a regulated reserve requirement for companies like this in the future. For example, for every dollar held in cryptocurrency, a certain amount of cash reserves are required to avoid the same situation that we are going through today.

As I was looking back at all the communication and promises made to its users, the one that sticks out to me is on May 18<sup>th</sup>, when they sent out a communication to its users stating: *“Over the past few years, we’ve seen the market reach record highs, but we’ve also seen it at its lows. We understand that these are turbulent times, but it also reminds us of the foundation we’ve built Celsius on and the belief of unlocking financial freedom with crypto for the long haul.”* I wish I had the financial freedom that was suggested in this statement right now – instead, like tens of thousands of users, we are unable to access our funds that we believed to be ours to withdraw or transfer anytime. This is the exact opposite of financial freedom – more like financial jail, or worse for many...financial death.

At the end of the day, I will have to live with my mistake to entrust Celsius with my very hard-earned money. I’ve heard of “if its sounds too good to be true, it probably is”, and I have to do a better job in applying this to my decisions in life going forward. I just hope that the tens of thousands of people that are caught up in this mess can weather this storm and remain of sane mind and body, and that justice is swiftly served to us, as we thought our coins were safe as we were told they would be, and that people at Celsius are held liable for their poor leadership. Thank you for your time and consideration.

Sincerely,

Andrew

[mandyabbeylexi@gmail.com](mailto:mandyabbeylexi@gmail.com)